



ATMI-651

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John N. Gregg, et al.

Application No.: 10/606,520

Customer No. 25559

Filed: June 26, 2003

Examiner: TBA

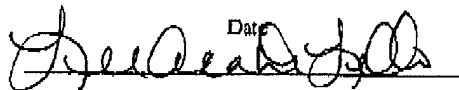
Group Art Unit: 3751

Title: CANISTER GUARD

I hereby certify that Response to Notice to File Missing Parts is being  
facsimile transmitted to 703-746-4060 addressed to the Mail Stop  
Missing Parts, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450

Lee Ann DiLello

(Typed or printed name of person mailing paper or fee)

1-26-04

(Signature of person mailing paper or fee)

**SUBMISSION OF DECLARATION AND POWER OF ATTORNEY IN RESPONSE TO  
NOTICE TO FILE MISSING PARTS OF APPLICATION /FILING DATE GRANTED IN  
U.S. APPLICATION 10/606,520**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: MAIL STOP MISSING PARTS

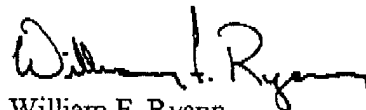
Sir:

In response to the December 10, 2003 Notice to File Missing Parts of Application /Filing Date  
Granted, enclosed and submitted herewith is an executed Declaration and Power of Attorney.

Please charge deposit account no. 50-0860 in the amount of \$130 in payment of the late filing of the Declaration, as a large business entity.

Applicant does not believe that any additional fee is due in connection with the foregoing. However, any deficiencies may be charged to the deposit account 50-0860.

Respectfully submitted,



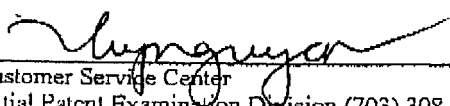
William F. Ryann  
Registration No. 44,313  
Attorney for Applicant

ADVANCED TECHNOLOGY MATERIALS, INC.  
7 Commerce Drive  
Danbury, CT 06810  
Phone: 203-794-1100  
Attorney Ref No. ATMI-651

JAN-26-2004 12:44

ATMI LEGAL DEPT

203 797 2544 P.07/09  
page 4 of 4

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. ATMI-651

### DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, John N. Gregg and Donn Naito, do hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "CANISTER GUARD", the specification of which

(check one) ☐ is attached hereto.  
☒ was filed on June 26, 2003 as Application Serial No. 10/606,520  
☐ and was amended \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

			Priority Claimed
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this specification is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Application Number)	_____ (Filing Date)	_____ (Status-Patented, Pending, abandoned)
-------------------------------	------------------------	--

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

WILLIAM RYANN, Reg. No. 44,313  
 STEVEN J. HULTQUIST, Reg. No. 28,021  
 MARGARET CHIAPPUIS, Reg. No. 45,735

Docket No. ATMI-651

All correspondence in connection with this application should be sent to:

William F. Ryann  
ATMI, Inc.  
7 Commerce Drive  
Danbury, CT 06810  
Telephone: (203) 794-1100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first inventor: John N. Gregg

Inventor's Signature

Date

Residence: 100 5<sup>th</sup> Street, Marble Falls, TX 78654

Citizenship: U.S.

Post Office Address:

(if different from  
Residence Address)

Full Name of second inventor: Donn Naito

Inventor's Signature

Date

Residence: 1810 Lacy Drive, Marble Falls, TX 78654

Citizenship: U.S.

Post Office Address:

(if different from  
Residence Address)



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 130

## Complete if Known

Application Number	10/606,520
Filing Date	June 26, 2003
First Named Inventor	John N. Gregg, et al.
Examiner Name	TBA
Art Unit	3751
Attorney Docket No.	ATMI-651

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit Account Number  
 Deposit Account Name

50-0860

Advanced Technology Mater

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2601 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130

## SUBMITTED BY

Name (Print/Type) William F. Ryann

Signature

Registration No. 44,313  
(Attorney/Agent)

(Complete if applicable)

Telephone 203-794-1100

Date January 26, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.